

RESOLUTION NO. CZAB12-3-10

WHEREAS, FAY ARONSON & ROBERT SHNAYERSON applied for the following:

- (1) IU-1 and IU-2 to BRDI (Bird Road Design and Industrial Zoning District)
- (2) Applicant is requesting to permit Buildings #1-#3 setback a minimum of 19.83' (20' required) from the front (east) property line and to permit Building #4 setback 13.2' (15' required) from the side street (south) property line.
- (3) Applicant is requesting to permit angled parking with an aisle width of 15' (17' required), a stall length of 16' (22.9' required), to permit perpendicular parking with a back out width of 19' (22' required) and to permit 2 way drives a minimum of 19' wide (20' required).
- (4) Applicant is requesting to permit a minimum of 7.62' wide landscaped buffer (10' wide required) along the right-of-way.

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Lakeshore Industrial Park," as prepared by Omelio Arrabal, Architect, and consisting of 6 sheets "L-1" and "A-1" dated stamped received 12/9/09 and the remaining 4 sheets dated stamped received 9/28/09. Plans may be modified at public hearing.

SUBJECT PROPERTY: Commence at the southeast corner of the NW ¼ of Section 23, Township 54 South, Range 40 East; thence N89°35'08"W along the south line of the NW ¼ of said Section 23, for a distance of 479.15'; thence N00°37'21"E, parallel to the east line of the NW ¼ of said Section 23, for a distance of 35' which is located 35' north of, as measured at right angles to the south line of the NW ¼ of said Section 23, said point being on the north right-of-way line of S.W. 48th Street and the Point of beginning of the parcel of land herein described; thence continue N00°37'21"E for a distance of 400.96'; thence S89°35'08"E for a distance of 444.15' to a point which is located 35' west of, as measured at right angles to the east line of the NW ¼ of said Section 23 and a point on the west right-of-way line of S.W. 72nd Avenue; thence S00°37'21"W, parallel to the east line of the NW ¼ of said Section 23 and along the west right-of-way line of S.W. 72nd Avenue for a distance of 376.06' to the beginning of a tangential circular curve; thence SW/ly along the said circular curve to the right having a radius of 25' through a central angle of 89°47'31" for an arc distance of 39.18' to the end of said curve and a point which is located 35' north of, as measured at right angles to, the south line of the NW ¼ of said Section 23 and a point on the north right-of-way of S.W. 48th Street; thence N89°35'08"W, along the north right-of-way of S.W. 48th Street, for a distance of 419.24' to the Point of beginning.

LOCATION: 4652 S.W. 72 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 12 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to BRDI (Bird Road Design and Industrial Zoning District) (Item #1) would be compatible with the Comprehensive Development Master Plan, and would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the requests to permit Buildings #1-#3 setback a minimum of 19.83' from the front (east) property line and to permit Building #4 setback 13.2' from the side street (south) property line (Item #2), to permit angled parking with an aisle width of 15', a stall length of 16', to permit perpendicular parking with a back out width of 19' and to permit 2 way drives a minimum of 19' wide (Item #3), and to permit a minimum of 7.62' wide landscaped buffer along the right-of-way (Item #4) would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to approve Item #1 through 4 was offered by Carla Ascencio-Savola, seconded by Jorge Luis Garciga, and upon a poll of the members present the vote was as follows:

Peggy Brodeur	aye	Carla Ascencio-Savola	aye
Jorge Luis Garciga	aye	Jose I. Valdes	aye
Alberto Santana	aye	Angela Vazquez	aye

Elliot N. Zack aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 12, that the requested district boundary change to BRDI (Bird Road Design and Industrial Zoning District) (Item #1) be and the same is hereby approved, and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that the requests to permit Buildings #1-#3 setback a minimum of 19.83' from the front (east) property line and to permit Building #4 setback 13.2' from the side street (south) property line (Item #2), to permit angled parking with an aisle width of 15', a stall length of 16', to permit perpendicular parking with a back out width of 19' and to permit 2 way drives a minimum of 19' wide (Item #3), and to permit a minimum of 7.62' wide landscaped buffer along the right-of-way (Item #4) be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things but not be limited thereto, location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Lakeshore Industrial Park," as prepared by Omelio Arrabal, Architect, and consisting of 6 sheets: "L-1" and "A-1" dated stamped received 9/28/09.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use and Occupancy.
5. That the applicant obtain an annually renewable Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
6. That the applicant comply with all the conditions and requirements of the Public Works Department as contained in their Memorandum pertaining to this application.

7. That the applicant comply with all the conditions and requirements of the Department of Environmental Resources Management (DERM) as contained in their Memorandum pertaining to this application.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning and to issue all permits in accordance with the terms and conditions of this resolution.

PASSED AND ADOPTED this 10th day of February, 2010.

Hearing No. 10-2-CZ12-1
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RESOLUTION NO. 4-2AB-219-74

The following resolution was offered by Mr. Aspee Irani, seconded by Mr. Joe H. Moffat, and upon roll of members present, the vote was as follows:

Wilfredo Barreto	absent	Joe H. Moffat	aye
Nancy Brown	aye	Carlos Salinas	absent
Thelma Hammond	absent/Excused	Albert R. Vera	aye
Aspee Irani	aye	Edward G. Cell, Jr.	aye
Robert S. Kaufman	Excused		

WHEREAS, Charles W. Swannell has applied for an UNUSUAL USE to permit recreational activities, to wit, to permit an indoor tennis club, including a 2 story club house, pro-shop, and locker room.

Plans of the proposed tennis club may be examined and are on file in the Zoning Department entitled "Tropical Tennis Club, Inc." as prepared by OH Houston, Jr., Architect and dated received 12-21-73.

SUBJECT PROPERTY: Commence at the SW corner of the NW $\frac{1}{4}$ of 23-54-40; thence N $89^{\circ}35'08''$ W along the South line of the NW $\frac{1}{4}$ of said Section 23, for a distance of 479.15'; thence N $00^{\circ}37'21''$ E, parallel to the East line of the NW $\frac{1}{4}$ of said Section 23, for a distance of 35' to a point which is located 35' N of, as measured at right angles to the South line of the NW $\frac{1}{4}$ of said Section 23, said point being on the E right-of-way line of S.W. 48 Street and the Point of Beginning of the parcel of land herein described; thence continue N $00^{\circ}37'21''$ E for a distance of 400.95'; thence S $89^{\circ}35'08''$ E for a distance of 444.15' to a point which is located 35' W of, as measured at right angles to the E line of the NW $\frac{1}{4}$ of said Section 23 and a point on the W right-of-way line of S.W. 72nd Street; thence S $00^{\circ}37'21''$ W, parallel to the E line of the NW $\frac{1}{4}$ of said Section 23 and along the W right-of-way line of S.W. 72nd Street for a distance of 376.05' to the beginning of a tangential circular curve; thence Southwesterly along the said circular curve to the right having a radius of 25' through a central angle of $89^{\circ}47'31''$ for an arc distance of 39.18' to the end of said curve and a point which is located 35' North of, as measured at right angles to the South line of the NW $\frac{1}{4}$ of said Section 23 and a point on the E right-of-way line of S.W. 48th Street; thence N $89^{\circ}35'08''$ W along the E right-of-way line of S.W. 48th Street, for a distance of 419.24' to the Point of Beginning. The above described parcel of land contains 177,954.93 sq. ft., more or less, or 4.0853 acres, more or less.

LOCATION: N.W. corner of S.W. 72nd Ave., & S.W. 48th Street, DADE COUNTY, FLORIDA.

WHEREAS, a public hearing of the Metropolitan Dade County Zoning Appeals Board was advertised and held, as required by law, and all interested parties concerned in the matter were heard, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested UNUSUAL USE would be compatible with the area and its development and would conform with the requirements and intent of the Zoning Procedure Ordinance, with conditions;

NOW THEREFORE BE IT RESOLVED by the Metropolitan Dade County Zoning Appeals Board that the requested Unusual Use be and the same is hereby approved, subject to the following conditions:

1. That a plot use plan be submitted to and meet with the approval of the Zoning Director; said plan to include among other things, but not be limited thereto, location of building or buildings, recreational area, type and location of signs, light standards, parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That the plan be substantially in accordance with the plan submitted for the hearing entitled "Tropical Tennis Club, Inc.," as prepared by GK Houston, Jr. Architect and dated received 12-21-73; however, that the building, parking area, and ingress and egress be changed to face S.W. 72nd Avenue.
3. That the landscaping as shown on the submitted plans be complied with and any major deviations from said plans shall void the permit.
4. That the use be established and maintained in accordance with the approved plan.
5. That the dedication of rights of way shall be made in accordance with Sec. 33-133 of the Code of Metropolitan Dade County unless the Director of Public Works deems such are not necessary or requires a lesser amount. Improvements shall be made of such rights of way in order to comply with and in accordance with the requirements of the manual of Public Works construction, as may be deemed lacking, desirable and necessary by the Public Works Director.

The Zoning Director is hereby directed to make the necessary notations upon the maps and records of the Dade County Building and Zoning Department, and to issue all permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 7th day of March, 1974.

Heard 3/7/74
No. 74-3-35
3/11/74
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